

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARJORIE SCRIPTER,

Plaintiff,

v.

Case No.: 2:23-cv-39-KCD

SOCIAL SECURITY
COMMISSIONER,

Defendant.

_____ /

ORDER

Before the Court is the Commissioner's Unopposed Motion for Entry of Judgment with Remand. (Doc. 20.) The Commissioner believes that remand is appropriate to accomplish the following:

Upon remand, the Commissioner will instruct the Administrative Law Judge to obtain evidence from a vocational expert to clarify the effect of the assessed limitations on Plaintiff's occupational base, offer Plaintiff the opportunity for a new hearing, take any further action needed to complete the administrative record, and issue a new decision.

(Doc. 20 at 1.) Plaintiff consents to the relief requested.

Under 42 U.S.C. § 405(g), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. *See Shalala v. Schaefer*, 509 U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). The Commissioner's request for remand is appropriate, and given Plaintiff's consent, it will be granted.

Accordingly, it is now **ORDERED**:

1. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 20) is **GRANTED**.
2. The decision denying benefits is **REVERSED** and this case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings.
3. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny all pending motions as moot, and close the file.

ORDERED in Fort Myers, Florida this June 6, 2023.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record